

REMARKS

The Office Action mailed April 27, 2007 has been received and carefully considered. Claims 35, 43, and 51 have been amended. Claim 52 has been added. Support for the amendments and the new claim can be found in the specification as originally filed. Claims 40 and 41 have been cancelled without prejudice or disclaimer. Reconsideration of the currently pending claims is respectfully requested.

Anticipation rejection of claims 35-36, 40, 43-46 and 51

At page 2 of the Office Action claims 35-36, 40, 43-46 and 51 are rejected under 35 U.S.C. 102(a) as being anticipated by Zhang (US 2003/0054794). This rejection is respectfully traversed.

Claim 35 recites receiving a controller file from a server, the server different from the electronic device, storing the file, and launching an application based on the controller file. Claims 43 and 51 recite similar features. These features are not disclosed by the cited art. As indicated by the Office Action at page 7, Zhang fails to disclose receiving a controller file from a server that is remote from the electronic device. The Office Action asserts that this feature is disclosed by the Abstract of Koskimies (US 2004/0081110). However, Koskimies does not disclose receiving and storing a controller file at an electronic device for subsequent execution. Instead, Koskimies discloses using a cell phone as a conduit to download a file to another electronic device. Accordingly, neither Zhang nor Koskimies, individually or in combination, discloses or suggests each and every element of claims 35, 43, and 51.

Claim 36 depend from claim 35. Claims 44-46 depend from claim 43. Accordingly, the cited references fail to disclose or suggest each and every element of claims 35 and 44-46, at least by virtue of their respective dependence on claims 35 and 43. In addition, claims 35 and 44-46 recite additional novel features.

In view of the foregoing, Applicants respectfully submit that the anticipation rejection of claims 35-36, 40, 43-46 and 51 is improper. Withdrawal of the rejection and reconsideration of the claims is requested.

Obviousness rejection of claims 37-39, 41, 42, 47, 48, and 50

At page 5 of the Office Action, claim 37 is rejected under 35 USC 103(a) as being unpatentable over Zhang in view of Linnartz (US 2002/0066018). At page 6 of the Office Action, claims 38-39, 42, and 47 are rejected under 35 USC 103(a) as being unpatentable over Zhang in view of Zweig (US 6,658,325). At page 7 of the Office Action, claims 41 and 50 are rejected under 35 USC 103(a) as being unpatentable over Zhang in view of Koskimies. At page 7 of the Office Action, claim 48 is rejected under 35 USC 103(a) as being unpatentable over Zhang in view of Official Notice. These rejections are respectfully traversed.

Claims 37-39 and 42 depend from claim 35. Claim 41 has been cancelled without prejudice or disclaimer. Claims 47, 48, and 50 depend from claim 43. As explained above, Zhang fails to disclose each and every element of claims 35 and 43. Further, none of the cited references remedy the deficiencies of Zhang. Accordingly, the cited references fail to disclose or suggest each and every element of claims 37-39, 42, 47, 48, and 50 at least by virtue of their respective dependence on claims 35 and 43. In addition, claims 37-39, 42, 47, 48, and 50 recite additional novel elements.

To illustrate, claims 42 and 47 each recite that the electronic device is an automobile. The Office Action asserts at page 6 that Zweig teaches “a toy automobile.” However, neither claim 42 or 47 recites that the automobile is a toy automobile. Accordingly, none of the cited references disclose or suggest a controllable electronic device that is an automobile.

With respect to claim 48, the Office Action at page 7 takes “Official Notice” that it is well known to control a television with a cellular phone. Applicants respectfully submit that this is not in fact well known in the art and request the Office to cite a reference disclosing these features.

In view of the foregoing, Applicants respectfully submit that the anticipation rejection of claims 35-36, 40, 43-46 and 51 is improper. Withdrawal of the rejection and reconsideration of the claims is requested.

CONCLUSION

The Applicants respectfully submit that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number in order to expedite resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

Should the Examiner deem that any further action by the Applicants would be desirable for placing this application in even better condition for issue, the Examiner is requested to contact Applicants' undersigned agent at the number listed below.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-3797.

Respectfully submitted,

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Date

/Adam D. Sheehan/
Adam D. Sheehan; Reg. No. 42,146
Attorney for Applicant(s)
LARSON NEWMAN ABEL
POLANSKY & WHITE, L.L.P.
5914 West Courtyard Drive, Ste. 200
Austin, Texas 78730
(512) 439-7100 (phone)
(512) 439-7199 (fax)